



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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December 16, 2024

By ECF

The Honorable Lewis J. Liman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Chan, et al. v. U.S. Dep't of Transp., et al.*, No. 23 Civ. 10365 (LJL)
Mulgrew, et al. v. U.S. Dep't of Transp., et al., No. 24 Civ. 1644 (LJL)

Dear Judge Liman:

I write on behalf of the Federal Defendants and the MTA Defendants to respond to Plaintiffs' letter filed earlier this evening regarding the schedule for Friday's hearing. *See* No. 23 Civ. 10365, Dkt. No. 155. It was our understanding based on the briefing schedule adopted by the Court, *see* Dkt. No. 132, that the Court intended to address all fully briefed motions in these matters during Friday's hearing so that all outstanding issues could be resolved in advance of the anticipated January 5, 2024, implementation date for Congestion Pricing. As such, the defendants are prepared to address questions on all motions, including the pending motions to dismiss and the cross-motions for summary judgment on Plaintiffs' remaining NEPA claims. However, if the Court determines that a narrower set of issues should be addressed at Friday's hearing, we will, of course, limit our arguments accordingly.

Respectfully Submitted,

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